



## MEMORANDUM

**To: Members of the State Board of Education**  
**From: Danielle Shockey, Deputy Superintendent of Public Instruction**  
**Date: April 1, 2014**  
**Re: HEA 1005 provisions related to graduation waivers**

House Enrolled Act 1005 requires the State Board, in consultation with the Indiana Department of Education (IDOE), to develop criteria to be used by the IDOE to identify secondary schools with the highest graduation waiver rate percentages in Indiana that may require the establishment of a school wide remediation plan.

Members of the Indiana Department of Education staff are in the process of analyzing graduation waiver-related data from the past five years to inform a recommendation to members of the State Board of Education during the meeting on April 9, 2014.

### Background

Pursuant to IC 20-32-4-4 and IC 20-32-4-5, as amended by HEA 1005, students in Indiana who do not pass graduation examinations may be eligible to graduate if they satisfy specific statutory requirements.

A general education student may be eligible to graduate if s/he does not achieve a passing score on one or both of the graduation examinations (End of Course Assessments in Algebra I and English 10). Pursuant to the requirements specified by IC 20-32-4-4, in order to receive a graduation waiver, a general education student must do the following:

- Take the graduation examination in each subject area in which s/he did not achieve a passing score, at least one time every year after the student first takes the graduation examination;
- Complete remediation opportunities provided by their school;
- Maintain a school attendance rate of at least 95 percent;
- Maintain at least a “C” grade average or the equivalent in courses comprising the credits specifically required for graduation;
- Otherwise satisfy all state and local graduation requirements;
- Complete the following – either:

- Course and credit requirements for a general diploma,
- A workforce readiness assessment, and
- At least one industry certification that appears on the state board's approved industry certification list, which must be updated annually with recommendations from the department of workforce development.

OR

- Obtain a written recommendation from a teacher of the subject area in which the student has not achieved a passing score on the graduation examination. The written recommendation must be aligned with the governing body's relevant policy and the principal of the student's school must concur with the recommendation.
- The recommendation must be supported by documentation that the student has attained the academic standard in the subject area based on:
  - Tests other than the graduation examination(s); or
  - Classroom work.

Students with disabilities may also eligible to graduate if they do not achieve a passing score on one or both of the graduation examinations (End of Course Assessments in Algebra I and English 10) pursuant to the requirements specified under IC 20-32-4-5. The case conference committee of a student with disabilities who does not achieve a passing score on one or both of the graduation examinations may determine that students are eligible for graduation if the case conference committee finds the following:

- The student's teacher of record, in consultation with a teacher of each subject area in which the student has achieved a passing score, makes a written recommendation to the case conference committee. The recommendation must:
  - Be aligned with the governing body's relevant policy;
  - Be concurred in by the principal of the student's school; and
  - Be supported by documentation that the student has attained the academic standard in the subject areas based on –
    - tests other than the graduation examination, or
    - classroom work.
- The student must meet all of the following requirements:
  - Take the graduation examination in each subject area in which they did not achieve a passing score as often as is required by the student's individualized education program;
  - Complete remediation opportunities provided by their school to the extent required by the student's individualized education program;
  - Maintain a school attendance rate of at least 95 percent to the extent required by the student's individualized education program;

- Maintain at least a “C” grade average or the equivalent in courses comprising the credits specifically required for graduation;
- Otherwise satisfy all state and local graduation requirements